

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30-07-2026

CORAM

THE HON'BLE MR JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR JUSTICE B.PUGALENDHI

WP(MD) No. 21426 of 2026

1. J.Abdul Malik
S/o.Jamal Mohammed,
No.89, Mariamman Kovil Street,
Thuvarankurichi Village,
Marungapuri Taluk,
Trichy District.
2. J.Siddiq Ali
S/o.Jamal Mohammed,
No.89, Mariamman Kovil Street,
Thuvarankurichi Village,
Marungapuri Taluk,
Trichy District.

..Petitioner(s)

Vs

1. The District Collector
Trichirappalli District,
Trichirappalli.
2. The District Revenue Officer
Trichirappalli District,
Trichirappalli.
3. The Revenue Divisional Officer
Srirengam Division,
Srirengam,
Trichirappalli District.



4. The Thasildar
Marungapuri Taluk,
Marungapuri,
Trichirappalli District.

5. R.Ramesh
S/o.Rasu Thevar,
Door No.83, Meenakshi Amman Kovil Street,
Thuvarankurichi Village,
Marungapuri Taluk,
Tiruchirappalli District.

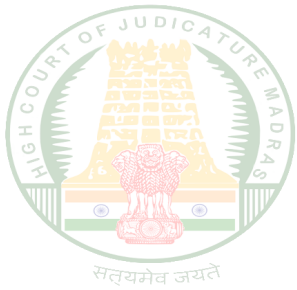
6. P.Kanthasamy
S/o.Periyasamy,
Door No.3/78, Thethoor Village,
Marungapuri Taluk,
Trichirappalli District.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to initiate appropriate proceedings in order to remove the encroachments made by the 5th and 6th Respondents in Sakkiliyankulam channel in Survey No.33/1 and in Survey No.68 and 69/2 Karanthapadikulam situated in Ponnampatti Town Panchayat, Marungapuri Taluk, Trichirappalli District and restore it to its original position within a time frame that may be stipulated by this Court.

For Petitioner(s) : Mr.R.R.Kannan

For Respondent(s): Mr.P.Rajagopalan,
Government Advocate.

**ORDER****(Order of the Court was made by G.R.Swaminathan J.)**

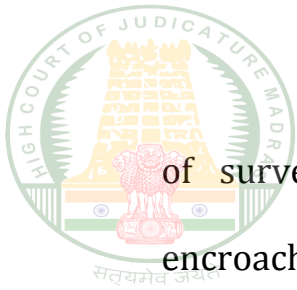
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Heard the learned counsel appearing for the writ petitioners and the learned Government Advocate appearing for the respondents 1 to 4.

2. The petitioners are the residents of Thuvarankurichi Village, Marungapurai Taluk, Trichy District. They allege that the petition-mentioned channel has been blocked and encroached upon. They want the encroachments to be removed.

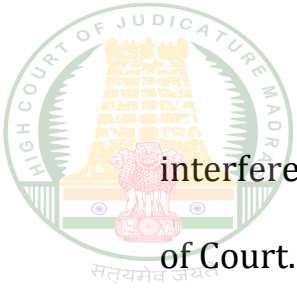
3. When the matter was taken up for hearing, the learned Government Advocate conceded that survey Nos.68 and 69/2 are water bodies. However according to him, survey No.33/1 is a patta land.

4. The petitioner's counsel has drawn our attention to the relevant "A" Register extract. It is seen therefrom that survey No.33/1 has been classified as Karanthapadikulam Neerpidipu. In other words, it is a water spread area. Such a land can be a patta land also. However, the patta holder's rights are limited. He cannot put up construction or do anything that may obstruct the free flow of water. Surface runoff cannot be impeded in any manner. It is the duty of the authorities to ensure that the character



of survey No.33/1 water spread area is maintained as such. Any encroachment in the petition mentioned water bodies shall be removed by adhering to due process of law. The fourth respondent will issue notice to the concerned encroachers and after giving them an opportunity of hearing, take action as per law. The entire exercise shall be completed within a period of four months from the date of receipt of a copy of this order. This writ petition stands allowed on these terms. No costs.

5. The matter cannot be given a quietus with the above direction. The learned Government Advocate on the strength of written instructions given by the Tahsildar, Marungapuri Taluk vide Na.Ka.A1/13/2026 dated 29.07.2026 made a submission that survey No.33/1 is a patta land. It is true that survey No.33/1 is a patta land. But then, in the remarks column, it has been clearly mentioned that it is a water spread area(Neerpaidu) Karandhabeebikulam. However, in the photo copy of "A" Register furnished to the learned Government Advocate, the remarks column 12 is blank. While taking photo copy, this entry appears to have been concealed. This is nothing a short of misleading the Court. We in most of the cases go by the oral submissions made by the Government counsel. The Government counsel, in turn, rely on the instructions given to them by the officials concerned. Any false information given to the Government counsel directly



interferes with the administration of justice. It would constitute contempt of Court.

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6. The Registrar(Judicial) is directed to send a communication to the Tahsildar, Marungapuri Taluk calling for explanation. Report will be placed before us on 06.08.2026. We will decide to take *suo motu* action thereafter.

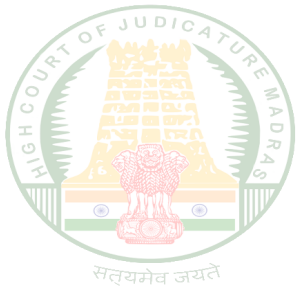
(G.R.S.,J.) (B.P.,J.)
30-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

PMU

To:

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Trichirappalli District,
Trichirappalli.
2. The District Revenue Officer
Trichirappalli District,
Trichirappalli.
3. The Revenue Divisional Officer
Srirengam Division,
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4. The Thasildar
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**G.R.SWAMINATHAN, J.
AND
B.PUGALENDHI, J.**

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